

**Open Minutes  
California State Personnel Board Meeting  
August 17, 2010**

**Open Session**

*Call to Order and Roll Call*

**Members Present:**

**Anne Sheehan, President**

**Richard Costigan, Vice President**

**Sean Harrigan**

**Maeley Tom**

**I. Information and Discussion Items**

- Report of the Executive Officer – Suzanne Ambrose
  - Ms. Ambrose informed the Board that staff is currently working on several legislative proposals that will be presented for review at the September mid-month meeting.
  - Ms. Ambrose announced Patti Touhey as the new Project Manager for improvements to the Jobs.CA.Gov website.
  - Ms. Ambrose informed the Board that staff is working on drafting regulations for CEAs and Voided Appointments. After meeting with stakeholders, staff will present to the Board.
- Report of the Chief Counsel – Alvin Gittisriboongul
  - Mr. Gittisriboongul provided a brief update on the furlough litigation.
- Report on Legislation – Steve Caldwell
  - Mr. Caldwell reported that August 20, 2010, is the last day to amend bills and August 31, 2010, is the last day for the Legislature to pass bills. The last day for the Governor to sign or veto bills passed by the Legislature is September 30, 2010.
  - Mr. Caldwell informed the Board that a Special Election for Senate District 15 was held today. Sam Blakeslee and John Laird are the main candidates. Republicans Roger Niello, Ted Gaines, and Democrat Ken Cooley plan to run for Senate District 1 in November.
- Report of the Dept of Corrections & Rehabilitation Quarterly Mental Health Exam and Hiring Report – Coleman Three Limited Scores – Joanne Cordy
  - Ms. Cordy provided a brief update on the Coleman Mental Health Examination and Hiring. Attachment 1
- New Business
  - None

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**Closed Session**

Attachment 2

- Employee Appointments, Disciplinary Matters, and other Appeals
- Deliberation on Non-Evidentiary Cases and Adverse Actions, Discrimination Complaints and other Proposed Decisions Submitted by Administrative Law Judges
- Pending Litigation
- Recommendations to the Legislature
- Recommendations to the Governor

**Reconvene into Open Session**

**II. Action Items**

- Draft Open Minutes from July 20, 2010, Board Meeting  
**ACTION: ADOPTED**Attachment 3
- Draft Closed Minutes from July 20, 2010, Board Meeting  
**ACTION: ADOPTED**
- Approval to submit Proposed Psychological Screening and Appeals Regulations for Public Comment  
**ACTION: ADOPTED**
- Resolution Extending Time Pursuant to Government Code Section 18671.1  
**ACTION: ADOPTED**Attachment 4
- Non-Hearing Agenda  
**SEE ATTACHMENT 5 FOR ACTIONS**Attachment 5
- Career Executive Assignment Category Activity  
**SEE ATTACHMENT 6 FOR ACTIONS**Attachment 6
- Hearing Agenda
  - 1. Submitted Items  
**SEE ATTACHMENT 8 FOR ACTIONS**Attachment 7

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2. Evidentiary & Non-Evidentiary Cases  
**SEE ATTACHMENT 8 FOR ACTIONS**

[Attachment 8](#)

**ADJOURNMENT**

**MINUTES CERTIFICATION**

# Memorandum

Date : **JUL 14 2010**

To : Denise Masuhara, Manager  
Appointments Consultation Unit &  
CEA and Board Items Unit  
State Personnel Board  
801 Capitol Mall  
Sacramento, CA 95814

Subject: **4<sup>TH</sup> QUARTER MENTAL HEALTH EXAM AND HIRING REPORT – COLEMAN  
THREE LIMITED SCORES**

In accordance with the State Personnel Board's July 21, 2009 approval of a two-year limited term extension granting the California Department of Corrections and Rehabilitation (CDCR) authority to continue using three limited scores for the Coleman mental health classifications, attached please find the 4<sup>th</sup> Quarter mental health examination and hiring report for the quarter ending June 30, 2010.

The attached spreadsheet contains five tabs with the following information:

- Exam and Hiring Reports for April 2010, May 2010, and June 2010
- Quarterly Totals for April 2010 – June 2010
- Comparison of the 3<sup>rd</sup> and 4<sup>th</sup> Quarter totals

As with the 3<sup>rd</sup> Quarter report, there may be some difficulty reconciling the data due to a variety of reasons, including:

## **Eligibility Lists**

Names are merged into examination lists on a daily basis. The number of eligibles on the list changes on a daily basis due to new eligibles being added or new hires and eligibles whose eligibility has expired are being removed. Additionally, some classifications, including the Psychologist-Clinical, Correctional Facility, allow non-licensed clinicians to take the examination. However, additional supervision is required for these non-licensed clinicians and many institutions do not have sufficient staffing to allow them to hire non-licensed staff.

## **Vacancy Information**

Vacancies occur for a variety of reasons however; our research does not show that the net increase in vacancies was related to a specific institution or individual classification.

Listed below are some of the reasons, provided by the Division of Correctional Health Care Services (DCHCS), why vacancies in our clinical classes increased slightly from April to June.:

- Expiration of dual appointments due to furloughs ending
- Retirements
- Resignation due to uncertainty about future with CDCR
- Transfers to other state agencies
- Promotions

**Recruitment/Hiring/Retention Efforts**

Hiring efforts may not be completed in a single month, depending on when the process is started. Additionally, candidates often must give advance notice to their employer or close a private practice, which could take up to 60 days, prior to their employment with CDCR. All clinician must also undergo credentialing verification so they may not begin working in the same month in which a job offer was made. 26 new hires were completed during this three month period despite the uncertainty, furloughs, and budget issues.

Although DCHCS is working in coordination with the Division of Health Care Services Division to collect data via an exit survey as to the real reasons Mental Health staff are leaving the Department, the results have not been tabulated as of this date.

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Please contact Joanne Cordy, Chief, Office of Workforce Planning and Selection (OWPS) at (916) 323-6492, if you have any questions or require additional information. For questions regarding the report, please contact Lori Rucks, Section Chief, OWPS at (916) 323-2937.



JUDY GELEIN  
Deputy Director  
Human Resources

**Attachments**

cc: Robert Downs, Chief, Office of Personnel Services  
Joanne Cordy, Chief, Office of Workforce Planning and Selection  
Lori Rucks, Section Chief, Office of Workforce Planning and Selection  
Janet Faught, Chief Personnel and Employee Liaison, Division of Correctional Health Care Services  
Anne Jackson, Manager, Division of Correctional Health Care Services

**California Department of Corrections and Rehabilitation**  
**Coleman Mental Health Classifications**  
**Examination and Hiring Summary**

Exam Reporting Period: April 1-30, 2010		Hiring Reporting Period: April 1-30, 2010								
Classification	List Type	No. of Applicants placed on list between 4/1-4/3	Total No. of Eligibles on List as of 4/30/10**	No. of Authorized Perm Positions Assoc. w/ Coleman Ct. Order (1)	No. of Authorized LT Positions Assoc. w/ Coleman Ct. Order (2)	No. of Vacancies (3)	No. of Job Applicants (4)	No. of Job Offers (5)	% of Applicants Offered a Job Within 30 Days*** (6)	No. of Applicants that Completed Hiring Process and Started Working (7)
Staff Psychiatrist	Open/Merged	9	102	243.7	0	62.95	2	1	1 of 1 or 100%	0
Senior Psychiatrist (Spec)	Open/Merged	2	11	0	0	0	0	0	N/A	0
Senior Psychiatrist (Sup)	Open/Merged	1	23	21	0	2	0	0	0.00%	1
Chief Psychiatrist	Open/Merged	1	9	19	0	2	0	0	N/A	0
Psychologist-Clinical	Open/Merged	56	507	758.6	1.97	72.15	114	1	1 of 1 or 100%	7
Senior Psychologist (Spec)	Open/Merged	11	107	4.5	0	-2.25	0	0	N/A	0
Senior Psychologist (Sup)	Open/Merged	11	105	119.7	0	14.7	16	0	0.00%	0
Chief Psychologist	Open/Merged	2	42	25	0	-3	1	0	0.00%	1
Clinical Social Worker (Health/CF) - Safety	Open/Merged	36	614	220.1	0	13.4	19	1	1 of 1 or 100%	6
Supervising Psychiatric Social Worker I, CF	Open/Merged	2	30	19	0	2	0	1	1 of 1 or 100%	0
*Supervising PSW II, CF	*N/A	0	0	0	0	0	N/A	N/A	N/A	N/A
TOTALS		131	1550	1430.6	1.97	163.95	152	4	4 of 4 applicants or 100%	15

\*There are no existing positions and no existing list. Class reserved for future use.

\*\* Names are merged into the lists daily for a period of 12 months. No. of eligibles on lists changes daily.

\*\*\* 30 day reporting excludes holidays and weekends.

(1) Authorized position data from FY 09/10 Governor's Budget-Schedule 7A, and does not separately identify Perm positions. This number includes all 7A allocated positions.

(2) Authorized position data from FY 09/10 Governor's Budget-Schedule 7A, and does not separately identify LT positions

(3) Filled/Vacant position information obtained directly from State Controller's Office (SCO) monthly report with no adjustments. Calculated as "Authorized 7A" less "SCO Filled" = Vacant

(4) Based on local institutional applicant data entries into the Hire Tracking Data Base (HTDB). Data may be 30 days in arrears.

(5) Based on local institutional applicant data entries into the HTDB. Data may be 30 days in arrears.

(6) Includes only those candidates in HTDB with job offers during the calendar month with 30 day time frame met/not met. Data may be 30 days in arrears.

(7) Includes only those candidates in HTDB with actual start dates, who reported for work during the calendar month. Data may be 30 days in arrears. Database does not include information on candidates transferring from one position to another or voluntary demotions.

(General) N/A indicates that data was not applicable to a category during this time frame, it does not mean that institutional applicants were not processed within the required 30 days.

**California Department of Corrections and Rehabilitation**  
**Coleman Mental Health Classifications**  
**Examination and Hiring Summary**

Exam Reporting Period: May 1-31, 2010		Hiring Reporting Period: May 1-31, 2010								
Classification	List Type	No. of Applicants placed on list between 5/1-5/31	Total No. of Eligibles on List as of 5/31/10	No. of Authorized Perm Positions Assoc. w/ Coleman Cl. Order (1)	No. of Authorized LT Positions Assoc. w/ Coleman Cl. Order (2)	No. of Vacancies (3)	No. of Applicants (4)	No. of Job Offers (5)	% of Applicants Offered a Job Within 30 Days*** (6)	No. of Applicants that Completed Hiring Process and Started Working (7)
Staff Psychiatrist	Open/Merged	7	94	243.7	0	64.2	9	1	1 of 1 or 100%	0
Senior Psychiatrist (Spec)	Open/Merged	0	10	0	0	0	0	0	0.00%	0
Senior Psychiatrist (Sup)	Open/Merged	0	20	21	0	3	0	0	0.00%	0
Chief Psychiatrist	Open/Merged	1	8	19	0	4	4	0	0.00%	0
Psychologist-Clinical	Open/Merged	28	503	758.6	1.97	73.18	47	17	5 of 17 or 29%	2
Senior Psychologist (Spec)	Open/Merged	9	106	4.5	0	0	0	0	0.00%	0
Senior Psychologist (Sup)	Open/Merged	9	104	119.7	0	16.7	2	4	2 of 4 or 50%	0
Chief Psychologist	Open/Merged	2	39	25	0	0	0	0	0.00%	0
Clinical Social Worker (Health/CF) - Safety	Open/Merged	38	575	220.1	0	16.6	25	4	1 of 4 or 25%	0
Supervising Psychiatric Social Worker I, CF	Open/Merged	3	31	19	0	1	0	0	0.00%	0
*Supervising PSW II, CF	**N/A	0	0	0	0	N/A	N/A	N/A	N/A	N/A
TOTALS		97	1490	1430.6	1.97	173.68	87	26	9 of 26 applicants or 34.6%	2

\*There are no existing positions.

\*\*No existing list.

\*\*\* 30 day reporting excludes holidays and weekends.

\*\*\*\* Names are merged into the lists daily for a period of 12 months. No. of eligibles on lists changes daily.

(1) Authorized position data from FY 09/10 Governor's Budget- Schedule 7A, and does not separately identify Perm positions. This number includes all 7A allocated positions.

(2) Authorized position data from FY 09/10 Governor's Budget- Schedule 7A, and does not separately identify LT positions

(3) Filled/Vacant position information obtained directly from State Controller's Office (SCO) monthly report with no adjustments. Calculated as "Authorized 7A" less "SCO Filled" = Vacant

(4) Based on local institutional applicant data entries into the Hire Tracking Data Base (HTDB). Data may be 30 days in arrears.

(5) Based on local institutional applicant data entries into the HTDB. Data may be 30 days in arrears.

(6) Includes only those candidates in HTDB with job offers during the calendar month with 30 day time frame met/not met. Data may be 30 days in arrears.

(7) Includes only those candidates in HTDB with actual start dates, who reported for work during the calendar month. Data may be 30 days in arrears. Database does not include information on candidates transferring from one position to another or voluntary demotions.

(General) N/A indicates that data was not applicable to a category during this time frame, it does not mean that institutional applicants were not processed within the required 30 days.

**California Department of Corrections and Rehabilitation**  
**Coleman Mental Health Classifications**  
**Examination and Hiring Summary**

		Exam Reporting Period: June 1-30, 2010			Hiring Reporting Period: June 1-30, 2010						
Classification	List Type	No. of Applicants placed on list between 6/1-6/30	Total No. of Eligibles on List as of 6/30/10	No. of Authorized Perm Positions Assoc. w/ Coleman Ct. Order (1)	No. of Authorized LT Positions Assoc. w/ Coleman Ct. Order (2)	No. of Vacancies (3)	No. of Applicants (4)	No. of Job Offers (5)	% of Applicants Offered a Job Within 30 Days*** (6)	No. of Applicants that Completed Hiring Process and Started Working (7)	
Staff Psychiatrist	Open/Merged	9	94	243.7	0	64.2	7	3	2 of 3 or 66%	0	
Senior Psychiatrist (Spec)	Open/Merged	0	9	0	0	0	0	0	0.00%	0	
Senior Psychiatrist (Sup)	Open/Merged	1	20	21	0	3	0	0	0.00%	0	
Chief Psychiatrist	Open/Merged	4	9	19	0	4	0	1	1 of 1 or 100%	0	
Psychologist-Clinical	Open/Merged	40	475	758.6	1.97	73.68	65	1	1 of 1 or 100%	3	
Senior Psychologist (Spec)	Open/Merged	13	104	4.5	0	0	0	0	0.00%	0	
Senior Psychologist (Sup)	Open/Merged	13	102	119.7	0	15.7	1	0	0.00%	2	
Chief Psychologist	Open/Merged	5	39	25	0	0	0	0	0.00%	0	
Clinical Social Worker (Health/CF) - Safety	Open/Merged	43	514	220.1	0	14.6	5	2	1 of 2 or 50%	4	
Supervising Psychiatric Social Worker I, CF	Open/Merged	1	27	19	0	1	0	0	0.00%	0	
*Supervising PSW II, CF	**N/A	0	0	0	0	N/A	N/A	N/A	N/A	N/A	
TOTALS		129	1393	1430.6	1.97	176.13	73	7	6 of 7 applicants or 71%	9	

\*There are no existing positions.

\*\*No existing list.

\*\*\* 30 day reporting excludes holidays and weekends.

\*\*\*\* Names are merged into the lists daily for a period of 12 months. No. of eligibles on lists changes daily.

(1) Authorized position data from FY 09/10 Governor's Budget- Schedule 7A, and does not separately identify Perm positions. This number includes all 7A allocated positions.

(2) Authorized position data from FY 09/10 Governor's Budget- Schedule 7A, and does not separately identify LT positions

(3) Filled/Vacant position information obtained directly from State Controller's Office (SCO) monthly report with no adjustments.

Calculated as "Authorized 7A" less "SCO Filled" = Vacant

(4) Based on local institutional applicant data entries into the Hire Tracking Data Base (HTDB). Data may be 30 days in arrears.

(5) Based on local institutional applicant data entries into the HTDB. Data may be 30 days in arrears.

(6) Includes only those candidates in HTDB with job offers during the calendar month with 30 day time frame met/not met. Data may be 30 days in arrears.

(7) Includes only those candidates in HTDB with actual start dates, who reported for work during the calendar month. Data may be 30 days in arrears. Database does not include information on candidates transferring from one position to another or voluntary dem

(General)

N/A indicates that data was not applicable to a category during this time frame, it does not mean that institutional applicants were not processed within the required 30 days.



California Department of Corrections and Rehabilitation  
Coleman Mental Health Classifications  
Examination and Hiring Summary  
April 1, 2010 - June 30, 2010 Quarterly Totals

Quarterly Totals: April 1, 2010 - June 30, 2010									
Classification	Total No. of Eligibles on List as of 06/30/10	No. of Authorized Perm Positions Assoc. w/ Coleman Ct. Order as of 06/30/10	No. of Authorized LT Positions Assoc. w/ Coleman Ct. Order as of 06/30/10	No. of Vacancies as of 06/30/10	Total No. of Job Applicants 04/01/10 - 06/30/10	Total No. of Job Offers 04/01/10 - 06/30/10	% of Applicants Offered a Job Within 30 days 04/01/10 - 06/30/10	No of Applicants that Completed Hiring Process and Started Working 04/01/10 - 06/30/10	
Staff Psychiatrist, C&RS (Safety)	94	243.7	0	64.2	18	5	4 of 5 or 80%	0.00	
Senior Psychiatrist (Spec), C&RS (Safety)	9	0	0	0	0	0	0.00%	0.00	
Senior Psychiatrist (Sup), C&RS (Safety)	20	21	0	3	0	0	0.00%	1.00	
Chief Psychiatrist, C&RS (Safety)	9	19	0	4	4	1	1 of 1 or 100%	0.00	
Psychologist-Clinical, CF	475	758.6	1.97	73.68	226	19	7 of 19 or 37%	12.00	
Senior Psychologist (Spec), CF	104	4.5	0	0	0	0	0.00%	0.00	
Senior Psychologist (Sup), CF	102	119.7	0	15.7	19	4	2 of 4 or 50%	2.00	
Chief Psychologist, CF	39	25	0	0	1	0	0.00%	1.00	
Clinical Social Worker (Health/CF) - Safety	514	220.1	0	14.6	49	7	3 of 7 or 43%	10.00	
Supervising Psychiatric Social Worker I, CF	27	19	0	1	0	1	1 of 1 or 100%	0.00	
*Supervising Psychiatric Social Worker II, CF	0	0	0	N/A	0	0	N/A	0.00	
<b>TOTALS</b>	<b>1393</b>	<b>1430.6</b>	<b>1.97</b>	<b>176.18</b>	<b>317</b>	<b>57</b>	<b>13 of 37 applicants or 49%</b>	<b>28.00</b>	

Difference Between Quarters ending April 1, 2010 and June 30, 2010																					
Classification	% Increase/ decrease of Eligibles on List for Quarters ending 4/01/10 & 06/30/10			% Increase/ decrease of No. of Authorized Perm Positions Assoc. w/ Coleman Ct. Order for Quarters ending 4/01/10 & 06/30/10			% Increase/ decrease of no. of Authorized LT Positions Assoc. w/ Coleman Ct. Order for Quarters ending 4/01/10 & 06/30/10			% Increase/ decrease of Total No. of Vacancies for Quarters ending 4/01/10 & 06/30/10			% Increase/ decrease of Total No. of Job Applicants for Quarters ending 4/01/10 & 06/30/10			% Increase/ decrease of No. of Applicants Offered a Job Within 30 days for Quarters ending 4/01/10 & 06/30/10			% Increase/ decrease of No. of Applicants that Completed Hiring Process and Started Working for Quarters ending 4/01/10 & 06/30/10		
	3rd QTR	4th QTR	% Difference	3rd QTR	4th QTR	% Difference	3rd QTR	4th QTR	% Difference	3rd QTR	4th QTR	% Difference	3rd QTR	4th QTR	% Difference	3rd QTR	4th QTR	% Difference	3rd QTR	4th QTR	% Difference
Staff Psychiatrist	98	94	-4.1%	243.7	243.7	0.0%	0	0	0.0%	78.63	64.2	-18.4%	13	18	38.5%	5	4	-20.0%	4	0	-100.0%
Senior Psychiatrist (Spec)	9	9	0.0%	0	0	0.0%	0	0	0.0%	N/A	N/A	0.0%	N/A	N/A	0.0%	N/A	N/A	0.0%	N/A	N/A	0.0%
Senior Psychiatrist (Sup)	22	20	-9.1%	21	21	0.0%	0	0	0.0%	4	3	-25.0%	2	0	-100.0%	0	0	0.0%	0	1	0.0%
Chief Psychiatrist	8	9	12.5%	19	19	0.0%	0	0	0.0%	0	4	0.0%	0	4	0.0%	0	1	0.0%	0	0	0.0%
Psychologist-Clinical	518	475	-8.3%	758.6	758.6	0.0%	1.97	1.97	0.0%	64.47	73.68	14.3%	71	226	218.3%	12	7	-41.7%	14	12	-14.3%
Senior Psychologist (Spec)	106	104	-1.9%	4.5	4.5	0.0%	0	0	0.0%	2.25	0	-100.0%	0	0	0.0%	0	0	0.0%	0	0	0.0%
Senior Psychologist (Sup)	102	102	0.0%	119.7	119.7	0.0%	0	0	0.0%	10.2	15.7	53.9%	14	19	35.7%	3	2	-33.3%	2	2	0.0%
Chief Psychologist	46	39	-15.2%	26	25	0.0%	0	0	0.0%	0	0	0.0%	11	1	-90.9%	2	0	-100.0%	1	1	0.0%
Clinical Social Worker (Health/CF) - Safety	678	514	-24.2%	220.1	220.1	0.0%	0	0	0.0%	31.53	14.6	-53.7%	34	49	44.1%	12	3	-75.0%	4	10	150.0%
Supervising Psychiatric Social Worker I, CF	30	27	-10.0%	19	19	0.0%	0	0	0.0%	3.99	1	-74.9%	0	0	0.0%	0	1	0.0%	0	0	0.0%
*Supervising PSW II, CF	0	0	0.0%	0	0	0.0%	0	0	0.0%	N/A	N/A	0.0%	N/A	N/A	0.0%	N/A	N/A	0.0%	N/A	N/A	0.0%
TOTALS	1617	1393	-13.85%	1431	1430.6	0.00%	1.97	1.97	0.00%	195.1	173.2	-9.68%	145	317	118.62%	84	18	-77.06%	25	26	4.00%

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***Attachment 2***

- **Employee Appointments, Disciplinary Matters, and Other Appeals**  
Deliberations to consider matters submitted at prior hearing.  
[Government Code Sections 11126(c)(3), 18653(3)]
  
- **Deliberation on Non-Evidentiary Cases and Adverse Actions, Discrimination Complaints and other Proposed Decisions Submitted by Administrative Law Judges**  
Deliberations on proposed, rejected, remanded, and submitted decisions, petitions for rehearing, and other matters related to cases heard by Administrative Law Judges of the State Personnel Board or by the Board itself.  
[Government Code sections 11126(c)(3), 18653]
  
- **Pending Litigation**  
Conference with legal counsel to confer with and receive advice regarding pending litigation when discussion in open session would be prejudicial.  
[Government Code sections 11126(e), 18653]  
  
Patrick McCollum v. State of California, United States District Court, Northern District of California, Case No. C 04-03339 CRB  
  
Plata, et al. v. Schwarzenegger, et al. United States District Court, Northern District of California, Case No. C01-1351 TEH  
  
California Highway Patrol, et al. v. State Personnel Board (Hubert Acevedo)  
Sacramento County Superior Court Case No. 34-2008-00002614-CU-WM-GDS  
  
Weingarten v. State Personnel Board, Sacramento County Superior Court, Case No. 34-2009-80000209-CU-WM-GDS
  
- **Recommendations to the Legislature**  
Deliberations on recommendations to the Legislature.  
[Government Code section 18653]
  
- **Recommendations to the Governor**  
Deliberations on recommendations to the Governor.  
[Government Code section 18653]

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***Attachment 4***

On August 17, 2010, the Board took the following action on the Resolution listed as presented by Anne Sheehan, President, California State Personnel Board.

**VOTE: Sheehan, Costigan, Harrigan, Tom – Aye**

**NOTICE OF GOVERNMENT CODE SECTION 18671.1 RESOLUTION**

Since Government Code Section 18671.1 requires that cases pending before State Personnel Board Administrative Law Judges (ALJ's) be completed within six months or no later than 90 days after submission of a case, whichever is first, absent the publication of substantial reasons for needing an additional 45 days, the Board hereby publishes its substantial reasons for the need for the 45-day extension for some of the cases now pending before it for decision.

An additional 45 days may be required in cases that require multiple days of hearings, that have been delayed by unusual circumstances, or that involve any delay generated by either party (including, but not limited to, submission of written briefs, requests for settlement conferences, continuances, discovery disputes, pre-hearing motions). In such cases, six months may be inadequate for the ALJ to hear the entire case, prepare a proposed decision containing the detailed factual and legal analysis required by law, and for the State Personnel Board to review the decision and adopt, modify or reject the proposed decision within the time limitations of the statute.

Therefore, at its next meeting, the Board will issue the attached resolution extending the time limitation by 45 days for all cases that meet the above criteria, and that have been before the Board for less than six months as of the date of the Board meeting.

**GOVERNMENT CODE SECTION 18671.1 RESOLUTION**

**WHEREAS**, Section 18671.1 provides that, absent waiver by the appellant, the time period in which the Board must render its decision on a petition pending before it shall not exceed six months from the date the petition was filed or 90 days from the date of submission; and

**WHEREAS**, Section 18671.1 also provides for an extension of the time limitations by 45 additional days if the Board publishes substantial reasons for the need for the extension in its calendar prior to the conclusion of the six-month period; and

**WHEREAS**, the Agenda for the instant Board meeting included an item titled "Notice of Government Code Section 18671.1 Resolution" which sets forth substantial reasons for utilizing that 45-day extension to extend the time to decide particular cases pending before the Board;

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**WHEREAS**, there are currently pending before the Board cases that have required multiple days of hearing and/or that have been delayed by unusual circumstances or by acts or omissions of the parties themselves;

**NOW, THEREFORE, BE IT RESOLVED AND ORDERED** that the time limitations set forth in Government Code Section 18671.1 are hereby extended an additional 45 days for all cases that have required multiple days of hearing or that have been delayed by acts or omissions of the parties or by unusual circumstances and that have been pending before the Board for less than six months as of the date this resolution is adopted.

**ACTION: ADOPTED**

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***Attachment 5***

On August 17, 2010, the Board took the following action on the Non-Hearing Agenda listed as presented by Suzanne Ambrose, Executive Officer, California State Personnel Board.

**VOTE: Sheehan, Costigan, Harrigan, Tom – Aye**

**NON-HEARING AGENDA**

**A. BOARD ITEMS PRESENTED BY STATE PERSONNEL BOARD OR DEPARTMENT OF PERSONNEL ADMINISTRATION TO ESTABLISH, REVISE OR ABOLISH CLASSIFICATIONS, ALTERNATE RANGE CRITERIA, ETC.**

**1. DEPARTMENT OF WATER RESOURCES**

The Department of Water Resources has requested to re-establish the classification of Chief of Mobile Equipment Operations. The classification was abolished at the December 2, 2008 State Personnel Board meeting because it had been vacant for over two years. There are no changes proposed to the abolished classification specification.

**ACTION: APPROVED**

**2. HUMAN RESOURCES MODERNIZATION PROJECT**

Human Resources Modernization Project (HR Mod) proposes to abolish the Auditor I and Staff Services Management Auditor eligibility lists for the following departments so they may utilize the new online examination lists for these classifications:

- Employment Development Department
- California Department of Health Care Services
- Department of Transportation

**ACTION: APPROVED**

**B. ABOLISHMENT OF CLASSES THAT HAVE HAD NO INCUMBENTS FOR MORE THAN TWO YEARS. DEPARTMENTS THAT UTILIZE THE CLASS AS WELL AS THE APPROPRIATE UNION HAVE NO OBJECTION TO THE ABOLISHMENT OF THESE CLASSES.**

**NONE**

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**C. BACKDATE OF APPOINTMENTS**

**NONE**

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***Attachment 6***

On August 17, 2010, the Board took the following action on the Career Executive Assignment Category Activity as presented by Suzanne Ambrose, Executive Officer, California State Personnel Board.

**VOTE: Sheehan, Costigan, Harrigan, Tom – Aye**

**CAREER EXECUTIVE ASSIGNMENT (CEA) CATEGORY ACTIVITY**

**A. REQUESTS TO ESTABLISH NEW OR REVISE EXISTING CEA POSITIONS CURRENTLY UNDER CONSIDERATION**

**1. INSPECTOR GENERAL, CALIFORNIA HIGHWAY PATROL**

The California Highway Patrol (CHP) proposes to allocate the above position to the CEA category. The Inspector General will provide critical subject matter expertise, develop, and implement policies for a comprehensive program which will independently review and report on the effectiveness of organizational operations and internal and management controls. 10-046

**ACTION: The Board took this matter under submission.**

**2. CHIEF, CALIFORNIA 9-1-1 EMERGENCY COMMUNICATIONS OFFICE**

The Office of the State Chief Information Officer (OCIO) is requesting approval to re-establish the above existing CEA position from the Department of General Services to the OCIO. The position has responsibility to set, enforce, and direct policy regarding the implementation of critical 911 services to the public; provides guidance, leadership, and direction to the California 911 Program; and provides leadership and direction to 471 local government agency Public Safety Answering Points which include police, fire, and paramedic dispatch centers. 10-047

**ACTION: APPROVED**

**B. EXECUTIVE OFFICER DECISIONS REGARDING REQUESTS TO ESTABLISH NEW OR REVISE EXISTING CEA POSITIONS**

**1. ASSOCIATE DIRECTOR**

The California Department of Education's request to allocate the above position to the CEA category was approved on July 22, 2010.



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**2. CHIEF, OFFICE OF EMPLOYEE WELLNESS**

The California Department of Corrections and Rehabilitation's request to revise the above CEA allocation was approved on July 22, 2010.

**ACTION: NOTED**

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***Attachment 7***

**A. SUBMITTED ITEMS NOT SCHEDULED FOR ACTION**

**1. DEPUTY DISTRICT DIRECTOR, PROGRAM AND PROJECT MANAGEMENT, DISTRICT 7**

The California Department of Transportation is requesting approval to reactivate the above position to the CEA category. The position will be responsible for the development and implementation of policies for the Program and Project Management Division in the Los Angeles and Ventura counties. The Division consists of Capitol Outlay Support Data Management, Program Management and Consultant Services, and Project Management in the areas of North, South, Central, I-5, I-405, and I-710. Taken under submission at the April 6, 2010, Board meeting. Hearing held on July 6, 2010.

**B. SUBMITTED ITEMS SCHEDULED FOR ACTION**

**NONE**

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***Attachment 8***

On August 17, the Board took the following action on the Evidentiary and Non-Evidentiary Cases as presented by Alvin Gittisriboongul, Chief Counsel, California State Personnel Board.

**VOTE: Sheehan, Costigan, Harrigan, Tom – Aye**

**EVIDENTIARY CASES**

**A. ADMINISTRATIVE LAW JUDGES' PROPOSED DECISIONS AFTER HEARING**

- 1. CASE NO. 09-2227**  
**Classification:** Correctional Officer  
**Department:** California Department of Corrections and Rehabilitation  
**ACTION:** The Board adopted the ALJ's Proposed Decision.
- 2. CASE NO. 09-6664**  
**Classification:** Correctional Officer  
**Department:** California Department of Corrections and Rehabilitation  
**ACTION:** The Board adopted the ALJ's Proposed Decision.
- 3. CASE NO. 09-3365**  
**Classification:** Correctional Lieutenant  
**Department:** California Department of Corrections and Rehabilitation  
**ACTION:** The Board adopted the ALJ's Proposed Decision.
- 4. CASE NO. 09-6705**  
**Classification:** Correctional Officer  
**Department:** California Department of Corrections and Rehabilitation  
**ACTION:** The Board adopted the ALJ's Proposed Decision.
- 5. CASE NO. 09-6737**  
**Classification:** Correctional Officer  
**Department:** California Department of Corrections and Rehabilitation  
**ACTION:** The Board adopted the ALJ's Proposed Decision.
- 6. CASE NO. 09-1016**  
**Classification:** Dentist (Correctional Facility)  
**Department:** California Department of Corrections and Rehabilitation  
**ACTION:** The Board adopted the ALJ's Proposed Decision.

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- 7. CASE NO. 09-0768**  
**Classification:** Clinical Social Worker  
**Department:** Department of Mental Health  
**ACTION:** The Board adopted the ALJ's Proposed Decision.
- 8. CASE NO. 07-1154**  
**Classification:** Motor Vehicle Technician  
**Department:** California Department of Motor Vehicles  
**ACTION:** The Board adopted the ALJ's Proposed Decision.
- 9. CASE NO. 07-0848**  
**Classification:** Staff Chemist  
**Department:** Department of Toxic Substances Control  
**ACTION:** The Board adopted the ALJ's Proposed Decision.
- 10. CASE NO. 09-0739**  
**Classification:** Transportation Engineer  
**Department:** California Department of Transportation  
**ACTION:** The Board adopted the ALJ's Proposed Decision.
- 11. CASE NO. 09-6762**  
**Classification:** Physician  
**Department:** California Department of Corrections and Rehabilitation  
**ACTION:** The Board adopted the ALJ's Proposed Decision.
- 12. CASE NO. 09-0433**  
**Classification:** Clinical Social Worker (Health/Correctional Facility)  
**Department:** Department of Mental Health  
**ACTION:** The Board adopted the ALJ's Proposed Decision.
- 13. CASE NO. 09-2859**  
**Classification:** Limited Term Senior Information Systems Analyst  
**Department:** California Department of Corrections and Rehabilitation  
**ACTION:** The Board adopted the ALJ's Proposed Decision.
- 14. CASE NO. 09-2692**  
**Classification:** Office Technician (Typing)  
**Department:** Department of General Services  
**ACTION:** The Board adopted the ALJ's Proposed Decision.

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15. **CASE NO. 08-3721**  
**Classification:** Correctional Officer  
**Department:** California Department of Corrections and Rehabilitation  
**ACTION:** The Board adopted the ALJ's Proposed Decision.
16. **CASE NO. 10-0898**  
**Classification:** Associate Tax Auditor  
**Department:** Franchise Tax Board  
**ACTION:** The Board adopted the ALJ's Proposed Decision.
17. **CASE NO. 09-2846**  
**Classification:** Disaster Assistance Programs Specialist II.  
**Department:** California Emergency Management Agency  
**ACTION:** The Board adopted the ALJ's Proposed Decision.
18. **CASE NO. 08-1444**  
**Classification:** Correctional Sergeant  
**Department:** California Department of Corrections and Rehabilitation  
**ACTION:** The Board adopted the ALJ's Proposed Decision.

**B. PETITIONS FOR REHEARING**

1. **CASE NOS. 08-3492P and 08-3485P**  
**Classification:** Highway Patrol Officers  
**Department:** California Highway Patrol  
**ACTION:** DENIED
2. **CASE NOS. 08-3767P, 08-5890P, and 09-1746P**  
**Classification:** Associate Government Program Analyst  
**Department:** California State Controller's Office  
**ACTION:** DENIED
3. **CASE NO. 08-5583P**  
**Classification:** Highway Patrol Officers  
**Department:** California Highway Patrol  
**ACTION:** DENIED
4. **CASE NO. 08-4481P**  
**Classification:** Auditor I  
**Department:** California Department of Health Care Services  
**ACTION:** DENIED

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**C. PENDING BOARD REVIEW**

- 1. CASE NO. 07-3861PA**  
**Classification:** Senior Staff Information Systems Analyst (Specialist)  
**Department:** California Department of Public Health  
Petition for Rehearing granted at the May 4, 2010, Board meeting.  
Transcripts ordered.  
Oral Argument scheduled for August 3, 2010.  
Continued to October 5, 2010.
- 2. CASE NO. 08-3377NPA**  
**Classification:** Deputy Attorney General III  
**Department:** Department of Justice, Office of the Attorney General  
Petition for Rehearing granted at the February 16, 2010, Board meeting.  
Oral Argument continued from June 8, 2010 to September 7, 2010.
- 3. CASE NO. 09-0043A**  
**Classification:** Psychologist-Clinical (Correctional Facility)  
**Department:** California Department of Corrections and Rehabilitation  
Proposed Decision rejected at the May 18, 2010, Board meeting.  
To be scheduled for Oral Argument.  
Transcripts ordered.  
Oral Argument scheduled for September 7, 2010.
- 4. CASE NO. 07-2854PA**  
**Classification:** Fish and Game Warden  
**Department:** California Department of Fish & Game  
Petition for Rehearing granted at the July 20, 2010, Board meeting.  
To be scheduled for Oral Argument.

**D. ORAL ARGUMENTS**

**NONE**

**E. CHIEF COUNSEL RESOLUTIONS**

**NONE**

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**F. PENDING BOARD DECISIONS**

- 1. CASE NO. 07-1059BPA**  
**Classification:** Correctional Officer  
**Department:** California Department of Corrections and Rehabilitation  
ALJ's Proposed Decision adopted at the July 21, 2009, Board meeting.  
Petition for Rehearing granted at October 22, 2009, Board meeting.  
Taken under submission at the February 2, 2010, Board meeting.
- 2. CASE NO. 08-2813PA**  
**Classification:** Correctional Officer  
**Department:** California Department of Corrections and Rehabilitation  
ALJ's Proposed Decision adopted at the October 22, 2009, Board meeting.  
Petition for Rehearing granted at the January 19, 2010, Board meeting.  
Taken under submission at the April 6, 2010, Board meeting.
- 3. CASE NO. 08-4044A**  
**Classification:** Maintenance Mechanic  
**Department:** California Department of Corrections and Rehabilitation  
Proposed Decision rejected at the April 6, 2010, Board meeting.  
Transcripts received.  
Taken under submission at the August 3, 2010, Board meeting.
- 4. CASE NO. 08-1758A**  
**Classification:** Physician and Surgeon  
**Department:** California Department of Corrections and Rehabilitation  
Proposed Decision rejected at the April 6, 2010, Board meeting.  
Transcripts ordered.  
Taken under submission at the August 3, 2010, Board meeting.
- 5. CASE NO. 08-3726A**  
**Classification:** Senior Typist Legal  
**Department:** Department of General Services  
ALJ's Proposed Decision rejected at the February 2, 2010, Board meeting.  
Taken under submission at the May 4, 2010, Board meeting.
- 6. PSC. NO. 10-04, SPB FILE NO.09-030(b)**  
**Department:** California Department of Corrections and Rehabilitation  
**Union:** AFSCME

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Appeal of California Department of Corrections and Rehabilitation from the Executive Officer's Decision disapproving Personal Services Contracts for Clinical Social Worker and Psychological Services.  
Taken under submission at the August 3 2010, Board meeting.

**7. CASE NO. 06-3518PA**

**Classification:** Fire Captain

**Department:** California Department of Forestry & Fire Protection

ALJ's Proposed Decision adopted at the June 23, 2009, Board meeting.

Petition for Rehearing granted at the September 24, 2009, Board meeting.

Taken under submission at the January 5, 2010, Board meeting.

**8. CASE NOS. 06-1942A, 06-1979A, and 06-2186A**

**Classification:** Vice President of Student Affairs and Institutional Development and Athletic Director; emergency hire Women's Basketball Coach for 2004/2005 academic year and the prospective hire for the full-time tenure-track Head Women's Basketball Coach for the 2005/2006 academic year; Director of Educational Talent Search and Upward Bound Program.

**Respondents:** All three Complainants named Feather River Community College District, Dr. Susan Carroll, Cameron Abbott, Dr. Michael Bagley, Michael Cassity, and Joseph Munoz. Complainant also named Sarah Christensen.

ALJ's Proposed Decision rejected at the July 21, 2009, Board meeting.

Taken under submission at the November 9, 2009, Board meeting.

**9. CASE NO. 08-3789A**

**Classification:** Senior Typist Legal

**Department:** Department of General Services

ALJ's Proposed Decision rejected at the February 2, 2010, Board meeting.

Taken under submission at the May 4, 2010, Board meeting.

**NON-EVIDENTIARY CASES**

**G. WITHHOLD FROM CERTIFICATION APPEALS**

**1. CASE NO. 09-6599N**

**Classification:** Correctional Officer/Youth Correctional Officer

**Department:** California Department of Corrections and Rehabilitation

**ACTION: DENIED**



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- 2. CASE NO. 09-6332N**  
**Classification:** Correctional Officer  
**Department:** California Department of Corrections and Rehabilitation  
**ACTION:** The Board adopted staff's recommendation in part and will issue a Resolution further clarifying certain issues.
- 3. CASE NO. 09-2215N**  
**Classification:** Correctional Officer  
**Department:** California Department of Corrections and Rehabilitation  
**ACTION:** DENIED
- 4. CASE NO. 09-6373N**  
**Classification:** Correctional Officer  
**Department:** California Department of Corrections and Rehabilitation  
**ACTION:** The Board adopted staff's recommendation in part and will issue a Resolution further clarifying certain issues.
- 5. CASE NO. 09-6943N**  
**Classification:** Medical Technical Assistant (Psychiatric)  
**Department:** California Department of Corrections and Rehabilitation  
**ACTION:** DENIED
- 6. CASE NO. 09-0781N**  
**Classification:** Correctional Officer  
**Department:** California Department of Corrections and Rehabilitation  
**ACTION:** The Board adopted staff's recommendation in part and will issue a Resolution further clarifying certain issues.
- 7. CASE NO. 09-3373N**  
**Classification:** Cadet, CHP  
**Department:** California Highway Patrol  
**ACTION:** DENIED
- 8. CASE NO. 09-2776N**  
**Classification:** Correctional Officer  
**Department:** California Department of Corrections and Rehabilitation  
**ACTION:** DENIED

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9. **CASE NO. 10-0178N**  
**Classification:** Correctional Officer  
**Department:** California Department of Corrections and Rehabilitation  
**ACTION: DENIED**
10. **CASE NO. 09-3263N**  
**Classification:** Correctional Officer/Youth Correctional Officer  
**Department:** California Department of Corrections and Rehabilitation  
**ACTION: DENIED**
11. **CASE NO. 09-2003N**  
**Classification:** Correctional Officer  
**Department:** California Department of Corrections and Rehabilitation  
**ACTION: DENIED**
12. **CASE NO. 09-2469N**  
**Classification:** Office Technician (Typing)  
**Department:** California Prison Health Care Services  
**ACTION: DENIED**
13. **CASE NO. 09-2326N**  
**Classification:** Correctional Officer/Youth Correctional Officer  
**Department:** California Department of Corrections and Rehabilitation  
**ACTION: DENIED**
14. **CASE NO. 09-6321N**  
**Classification:** Correctional Officer/Youth Correctional Officer  
**Department:** California Department of Corrections and Rehabilitation  
**ACTION: DENIED**
15. **CASE NO. 09-1468N**  
**Classification:** Transportation Planner  
**Department:** California Department of Transportation  
**ACTION: DENIED**
16. **CASE NO. 09-1571N**  
**Classification:** Correctional Officer  
**Department:** California Department of Corrections and Rehabilitation  
**ACTION: DENIED**

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17. **CASE NO. 09-2332N**  
**Classification:** Stationary Engineer (Correctional Facility)  
**Department:** California Department of Corrections and Rehabilitation  
**ACTION: DENIED**
18. **CASE NO. 10-0787N**  
**Classification:** Health Program Specialist I  
**Department:** California Department of Corrections and Rehabilitation  
**ACTION: DENIED**
19. **CASE NO. 09-3006N**  
**Classification:** Correctional Officer  
**Department:** California Department of Corrections and Rehabilitation  
**ACTION: DENIED**
20. **CASE NO. 09-6717N**  
**Classification:** Correctional Officer  
**Department:** California Department of Corrections and Rehabilitation  
**ACTION: GRANTED**

**H. MEDICAL AND PSYCHOLOGICAL SCREENING APPEALS**

1. **CASE NO. 09-2272N**  
**Classification:** Cadet, CHP  
**Department:** California Highway Patrol  
**ACTION: DENIED**
2. **CASE NO. 10-0166N**  
**Classification:** Correctional Officer  
**Department:** California Department of Corrections and Rehabilitation  
**ACTION: DENIED**

**I. PROPOSED RECOMMENDATIONS AFTER BOARD REMAND**

**NONE**

**J. REQUESTS TO FILE CHARGES CASES**

1. **CASE NO. 10-0660N**  
**Department:** California Department of Transportation  
**ACTION: DENIED**

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K. EXAMINATION APPEALS, MINIMUM QUALIFICATIONS, MERIT ISSUE COMPLAINTS

NONE

L. RULE 211 APPEALS, RULE 212 OUT OF CLASS APPEALS, VOIDED APPOINTMENT APPEALS

NONE

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I hereby certify that the State Personnel Board made and adopted the preceding resolution at its meeting held on September 21, 2010.

VOTE: Costigan, Harrigan, Tom, Clarey – Aye

**/s/ SUZANNE M. AMBROSE**

Suzanne M. Ambrose  
Executive Officer  
California State Personnel Board

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I hereby certify that the State Personnel Board made and adopted the preceding resolution at its meeting held on September 21, 2010.

VOTE: Costigan, Harrigan, Tom, Clarey – Aye

**/s/ SUZANNE M. AMBROSE**

Suzanne M. Ambrose  
Executive Officer  
California State Personnel Board